



**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: M.S. Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 6, 2005.

Kurt A. Summe  
Kurt A. Summe, Reg. No. 36,023

9/6/05  
Date

PATENT  
ATTY. DOCKET NO: XANO-42/119

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Heasley	Art Unit:	1614
Serial No.	10/774,803	Examiner:	Unknown
Filed:	February 9, 2004		
Title:	A STABLE PARENTERAL FORMULATION OF LEVOMEPRMAZINE AND A METHOD FOR STABILIZING SAID FORMULATION		

Cincinnati, Ohio

September 6, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 C.F.R. §§§ 1.56, 1.97 and 1.704, the references listed on the attached supplemental Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. Copies of the cited references, other than the U.S. references, are attached hereto.

The Examiner is respectfully requested to review each reference cited and to note the review on the attached PTO-1449 form and to reach their own independent determination of its materiality, if any.

A copy of the Search Report in counterpart International Application No. PCT/US2005/003656 is enclosed. This International Search Report was received in our

office on August 4, 2005. No fee is due for this submission in accordance with C.F.R. 37, §§ 1.97(e)(2) and 1.704(d).

**Certification under 37 C.F.R. § 1.97(e)(2)**

Each item of information contained in the Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

**Certification under 37 C.F.R. § 1.704(d)**


The foreign patent office communication cited herein was not received by any individual designated in 1.56(c) more than thirty days prior to submission of this Supplemental Information Disclosure Statement.

Applicant knows of no fees due with this submission as there has yet to be a first Action in this case, and this paper is filed within the thirty-day deadline under §1.97(e)(2) on September 6, 2005 (the first business day following the Labor Day holiday). However, should any fees be deemed required, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By



Kurt A. Summe  
Reg. No. 36,023

2700 Carew Tower  
Cincinnati, OH 45202  
(513) 241-2324  
(513) 421-7269 (facsimile)

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. XANO/42		SERIAL NO. 10/774,803							
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANT Ralph A. Heasley		FILING DATE February 9, 2004							
				GROUP 1614									
				U.S. PATENT DOCUMENTS									
EXAMINER INITIAL		PATENT NUMBER						ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	A.A	4	0	7	1	6	2	0	01/31/78	Sklar			01/10/77
	A.B	4	1	8	8	4	6	5	02/12/80	Schneider et al.			3/25/77
	A.C												
	A.D												
	A.E												
	A.F												
	A.G												
	A.H												
	A.I												
	A.J												
	A.K												
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER						PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)	
	A.L	GB845943						08/24/60	Great Britain			N/A	
	A.M	WO03/O2153						01/09/03	PCT			N/A	
	A.N	WO97/13489						04/17/97	PCT			N/A	
	A.O												
	A.P												
	A.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
	A.R	Aboutaleb, A.E., <u>Formulation and Stability Study of Certain Mixtures Containing Solubilized Methotrimeprazine</u> , PHARM IND., Vol. 47, No. 12, 1985, pp. 1295-1298, XP008050156											
	A.S	International Search Report for PCT/US2005/O03656, <u>received August 4, 2005</u>											
	A.T												
EXAMINER									DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant.													